

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: MARK S. BARNER	:	CHAPTER 13
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
MARK S. BARNER	:	
Respondent	:	CASE NO. 1-19-bk-03553

TRUSTEE'S OBJECTION TO SIXTH AMENDED CHAPTER 13 PLAN

AND NOW, this 17th day of January, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. The Motion to Modify filed at Doc.#60 and the Sixth Amended Plan filed at Doc. #60 are inconsistent in that the motion proposes to surrender collateral to Auto Trakk, LLC, but the Sixth Amended Plan does not. Accordingly, it is not clear if the collateral is being surrendered or not.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/Douglas R. Roeder  
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 17th day of January, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

John Hyams, Esquire  
2023 N. 2<sup>nd</sup> Street, Suite 203  
Harrisburg, PA 17102

/s/Deborah A. Behney  
Office of Jack N. Zaharopoulos  
Standing Chapter 13 Trustee